

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

HAZEL M. ROBY,)
as administratrix of)
the estate of Ronald)
Tyrone Roby, deceased,)
)
Plaintiff,)
)
v.)
)
BENTON EXPRESS, INC.,)
)
Defendant.)

CIVIL ACTION NO.
2:05cv494-MHT

ORDER

Because this court denied defendant Benton Express, Inc.'s motion to dismiss (Doc. No. 27), it is ORDERED that plaintiff Hazel M. Roby's motion to strike evidentiary submissions accompanying said motion to strike (Doc. No. 33) is denied as moot.

DONE, this the 26th day of January, 2006.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE